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*Attorneys for U.S. Bank National Association, as Trustee on Behalf of the Holders of the Credit Suisse First Boston Mortgage Securities Corp. Home Equity Pass-Through Certificates, Series 2006-8*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

U.S. BANK NATIONAL ASSOCIATION, AS  
TRUSTEE, ON BEHALF OF THE HOLDERS  
OF THE CREDIT SUISSE FIRST BOSTON  
MORTGAGE SECURITIES CORP. HOME  
EQUITY PASS THROUGH CERTIFICATES,  
SERIES, 2006-8,

Case No.: 2:16-cv-02394-JAD-GWF

**STIPULATION AND ORDER TO  
DISMISS SFR INVESTMENTS POOL 1,  
LLC WITH PREJUDICE**

**Plaintiff.**

ECF No. 45

SFR INVESTMENTS POOL 1, LLC, a domestic entity; and PAINTED DESERT COMMUNITY ASSOCIATION, a Nevada non-profit corporation,

## Defendant.

**SFR INVESTMENTS POOL 1, LLC, a Nevada limited liability company,**

#### **Counter/Cross-Claimant,**

vs.

U.S. BANK NATIONAL ASSOCIATION, AS  
TRUSTEE, ON BEHALF OF THE HOLDERS  
OF THE CREDIT SUISSE FIRST BOSTON  
MORTGAGE SECURITIES CORP. HOME  
EQUITY PASS THROUGH CERTIFICATES,  
SERIES, 2006-8; and JOHN PAUL  
ROBERTSON, an individual,

1  
2  
3 Counter/Cross-Defendants.  
4

5  
6 Pursuant to Fed. R. Civ. P. 41(a) and LR IA 6-2, Plaintiff/Counter/Cross-Defendant, U.S.  
7 Bank National Association, as Trustee on Behalf of the Holders of the Credit Suisse First Boston  
8 Mortgage Securities Corp. Home Equity Pass-Through Certificates, Series 2006-8 (“Plaintiff”)  
9 and Defendant/Counter/Cross-Claimant, SFR Investments Pool 1, LLC (“SFR”) (collectively the  
10 “Parties”), by and through their respective undersigned counsel of record, hereby stipulate to and  
11 agree, as follows:

- 12
- 13 1. This action concerns title to real property commonly known as 7921 Aspect Way, Las  
14 Vegas, Nevada 89149 (“Property”) following a homeowner’s association foreclosure  
15 sale conducted on April 18, 2014, with respect to the Property.
  - 16 2. As it relates to the Parties, a dispute arose regarding that certain Deed of Trust  
17 recorded against the Property in the Official Records of Clark County, Nevada as  
18 Instrument Number 20060531-0003965 (“Deed of Trust”), and in particular, whether  
19 the Deed of Trust continues to encumber the Property.
  - 20 3. This Stipulation and Order is the result of a compromise resolution of this action and  
21 shall not constitute or be construed as an admission of the facts or legal conclusions at  
22 issue in this action, or an admission as to the validity of the allegations in future  
23 actions.
  - 24 4. With respect to this dispute, the Parties have entered into a confidential settlement  
25 agreement pursuant to which Plaintiff shall record a reconveyance of the Deed of  
26 Trust in the real property records of Clark County, Nevada.

5. Plaintiff expressly reserves all rights and interests in the loan secured by the Deed of Trust, as well as its claims against John Robertson, including but not limited, any actions to seek a deficiency judgment.
  6. SFR expressly reserves its claims against John Roberson for quiet title.
  7. The Parties have resolved all of their claims and disputes, and stipulate and agree to the dismissal of all claims among them with prejudice, with each party to bear its own costs and attorneys' fees.
  8. The Parties further stipulate and agree that a copy of this Stipulation and Order may be recorded with the Clark County Recorder.
  9. The Parties further stipulate that pursuant to Nevada Law, specifically, NRS 116.31164, Plaintiff is the proper recipient of excess proceeds resulting from the association foreclosure sale in the amount of \$6,815.51 and that Nevada Association Services, Inc. shall deliver the excess proceeds in the amount of \$6,815.51 to "Select Portfolio Servicing, Inc." on behalf of Plaintiff.

## **IT IS SO STIPULATED.**

DATED this 17<sup>th</sup> day of October, 2018.

DATED this 17th day of October, 2018.

## WRIGHT FINLAY & ZAK, LLP

KIM GILBERT EBRON

*/s/ Robert A. Riether, Esq.*

*/s/ Jacqueline A. Gilbert, Esq.*

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## *Association, as Trustee*

Las Vegas, NV 89139

## *Holders of the Credit Suisse*

*Attorney for SFR Investors*

## *Mortgage Securities Co.*

## *Pass-Through Certificates*

## **ORDER**

Based on the stipulation [ECF No. 45] between plaintiff/counterdefendant US Bank National Association and defendant/counterclaimant SFR Investments Pool 1, LLC, which I construe as a joint motion because it is between fewer than all parties to this litigation, and good cause appearing, IT IS HEREBY ORDERED that **ALL CLAIMS BETWEEN US BANK and SFR are DISMISSED** with prejudice, each party to bear its own fees and costs. This dismissal leaves pending only SFR's claims against John Paul Robertson, who was served on 12/20/16 [ECF No. 24] but has not answered or otherwise appeared. **SFR has 30 days to initiate default proceedings against Robertson or otherwise bring those claims to conclusion.**

U.S. District Judge Jennifer A. Dorsey  
Dated: October 18, 2018